

# Wetlands Bureau Decision Report

Decisions Taken  
07/05/2010 to 07/11/2010

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**2008-01760                      HUNT, JOHN B**  
**FITZWILLIAM   Upper Damon Reservoir**

### Requested Action:

After-the-fact request to temporally retain a diversion channel system that was not part of the approved permit design and to add a new permanent causeway with an open span bridge for maintenance and access for the new dam. As a result of the revised temporary impact and new causeway design the temporary wetland impacts have been reduced to 45,057 sq. ft. and permanent wetland impacts outside of the previously existing dam have been reduced to 7,060 sq. ft. wetlands impact.

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Inspection Date: 09/18/2008 by William A Thomas, Cws

### APPROVE AMENDMENT:

Dredge and fill a total of 61,107 sq. ft. of riverine and lacustrine wetlands for repair and replacement of an existing earthen dam on Upper Damon Reservoir with a new roller compacted concrete and earthen dam and addition of a permanent access causeway including an approximately 40 ft. span (with 2 ft. center pier) x 10 ft. run x 8 ft. high bridge located at the spillway outlet of the new dam. Work in jurisdiction consists of 7,060 sq. ft. of new permanent wetlands impacts for the new dam footprint, causeway and bridge, 9,000 sq. ft. impacts with the footprint of the existing dam and 45,047 sq. ft. of temporary wetlands impacts for construction access, cofferdams, diversion channel and erosion, turbidity and sedimentation controls.

### With Conditions:

1. All work shall be in accordance with plans by Dubois & King Inc., plan sheets 2, 5, 6, 7, 8, 9, and 10 of 12 dated October 2008, as received by DES on January 8, 2009 and plan sheet 1 of 12 dated August 2008 and plan sheets 3, 4 and 11 of 12 dated October 2008, as received by DES on February 6, 2009 and as revised by the "Proposed Causeway" plan dated November, 13, 2009 (Engineer stamped with signature date of June 4, 2010), "Impact Site Plan" revision date of June 3, 2010, and narratives dated June 4, 2010, as received by DES on June 8, 2010.
2. This permit is contingent on approval by the DES Dam Safety Program (including revised addition of the causeway and span bridge).
3. This permit is contingent on approval by the DES Watershed Management Bureau (if applicable).
4. Work shall be done during drawdown and low flow.
5. The project engineer shall monitor the project during construction and final stabilization to assure the work is constructed in accordance with the approved plans and to help assure no water quality violations occur as a result of the construction activities.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. There shall be no excavation or operation of construction equipment in flowing water.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Unconfined work within the stream/pond, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
13. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
14. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be

stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

18. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

19. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

20. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

21. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

22. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

23. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B.

24. A post-construction report documenting the status of the project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

25. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

26. This permit shall not preclude DES from taking any future enforcement actions for any previous or future unauthorized impacts associated with this project.

#### With Findings:

DES reaffirms findings 1 through 22 with additional findings.

1. This is a major impact project per Administrative Rule Env-Wt 303.02 (c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The dam reconstruction will maintain the historical wetlands and surface waters and associated wildlife habitat within and adjacent to the pond.

4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

6. The existing dam is in disrepair and has been subject to an Administrative Order from the DES Dam Bureau to address the condition of the dam.

7. DES issued an emergency authorization (DES Wetlands Bureau File #2008-00367) to the applicant on March 14, 2008 to breach the dam for safety reasons per an Administrative Order issued by the DES Dam Bureau.

8. The structural requirements for the proposed dam require a larger impact area outside of the existing dam footprint.

9. The Wetlands Bureau approval is contingent on approval by the DES Dam Bureau.

10. The existing dam was built approximately 100 years ago and has been historically maintained. Review of historic USGS maps suggests the dam was constructed between 1887 and 1932.

11. DES Wetlands Bureau staff inspected the site on September 18, 2008. It was observed that the pond was drawn down and it appeared that most of the proposed dam reconstruction would be within the footprint of the existing dam and current dry bed of the pond.

12. The applicant owns the enter approximately 50 acre pond site and surrounding property.

13. The proposed project spans the town lines of Rindge and Fitzwilliam with the majority of the proposed wetlands impacts in the Town of Rindge.

14. The applicant submitted a DES wetlands impact application in both towns (File #2008-00367 and 2008-01760). The applications contained identical information, therefore, the project was reviewed and approved under the newest file number, DES Wetlands Bureau File #2008-01760.

15. The applicant and agents met with DES on July 28, 2008 to discuss issues that needed to be addressed in application and discussed potential ways to reduce construction impacts.

16. The applicant has reduced the permanent project impacts to only 7,688 sq. ft. outside of the existing dam footprint.

17. The project does not require the submittal of compensatory mitigation per Administrative Rule Env-Wt 302.03(c). The

permanent impacts are under 10,000 sq. ft. and the work is to repair/replace an existing dam.

18. DES did not receive any comments from the Rindge or Fitzwilliam Conservation Commissions.

19. DES has not received any comments in opposition to the proposed project.

20. The proposed dam will maintain the historic uses and features of the pond.

21. The applicant/agent has indicated that the new dam is designed to maintain the historic surface water elevation of the pond and surface water flows through the dam.

22. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine and lacustrine resource, as identified under RSA 482-A:1.

Additional findings:

23. The temporary diversion swale will be restored to original condition by the completion of the dam construction.

24. The new causeway is to provide access to the each side of the dam, the back side of the dam and provide access for dam maintenance and safety.

25. The new causeway is directly at the outlet of the dam, therefore, it is not considered an issue for aquatic organism passage, which is already limited by the existing and proposed dam. Regardless, the new bridge section of the causeway does provide an approximately 40 ft. span x 8 ft. high opening for water flowing from the dam spillway.

26. It has been indicated that the proposed structure will be submerged by 8-inches of water during a 100-yr storm due to the downstream dam impounding water.

27. The permanent wetland impacts outside of the previously existing dam have been reduced to 7,060 square feet.

28. This permit is contingent on approval by the NHDES Dam Bureau.

**2009-02445                      WINDWARD HARBOR HOMEOWNERS ASSOCIATION**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Applicant requests reconsideration of the Department's March 3, 2010 decision to deny the walkway expansion with the submittal of revised plans and an agreement to make the structure publicly available.

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Conservation Commission/Staff Comments:

Con Com has no objections to the proposed.

APPROVE RECONSIDERATION:

Reconsider and approve the request to: Replace support pilings and increase the width of an existing 4 ft x 138 ft walkway providing access to a 40 ft x 83 ft recreational building located over public waters to 6 ft in width on an average of 891 feet of frontage on Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by David Dolan Associates, P.C. as revised June 30, 2010 and received by the NH Department of Environmental Services (DES) on July 6, 2010.
2. This permit to expand the footprint of this nonconforming, historic, structure is contingent upon the continued availability of the historic structure to the public through the Moultonborough Heritage Commission. Failure to maintain the public availability of this structure will be considered a violation of this permit and will be subject to compliance actions possibly including the reduction of the walkway width back to 4 ft.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
5. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
6. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. On October 15, 2009 the Department received an application to widen the walkway providing access to a recreational structure located over public waters on the frontage of property identified as Moultonborough Tax map 200, Lot 37.
2. This project is classified as a major impact project per Rule Env-Wt 303.02, (d), modification of docking facilities providing more than 5 slips.
3. Pursuant to Rule Env-Wt 204.04, (a), (2) Criteria, a request for a waiver shall be granted if one or more of the following conditions is satisfied: a. Granting the request is consistent with the intent and purpose of the rule being waived; b. Strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
4. In accordance with Env-Wt 401.01, Purpose, the purpose of Chapter Env-Wt 400 is to protect the public trust and other interests of the state of New Hampshire, by establishing requirements for the design and construction of structures in order to prevent unreasonable encroachment on surface waters of the State and by requiring all structures to be constructed so as to insure safe navigation, minimize alterations in prevailing currents, minimize the reduction of water area available for public use, avoid impacts that would be deleterious to fish and wildlife habitat, and avoid impacts that might cause erosion to abutting properties.
5. The existing structure is listed on the National Register of Historic Places as the "Swallow Boathouse." The structure was originally constructed in the early 1900's as a boathouse over public waters. The interior boat slip area was subsequently decked over and the structure was converted to a recreational structure used for typically land based activities. The structure fails to conform to Rules Env-Wt 402.09 and Env-Wt 402.06.
6. Pursuant to Rule Env-Wt 402.21, Modification of Existing Structures, the department shall not approve any change in size, location, or configuration of an existing structure unless the applicant demonstrates, and the department finds, that the modification is less environmentally-impacting or provides for fewer boat slips and less construction surface area over public submerged lands than the current configuration.
7. The Applicant has submitted written confirmation of an agreement with the Moultonborough Heritage Commission to allow public access to the historic structure.
8. Allowing public access to the structure is consistent with the intent and purpose of Chapter Env-Wt 400 and thus the project meets the criteria for a waiver of Rule Env-Wt 402.21 under Rule Env-Wt 204.04, (a), (2).

-Send to Governor and Executive Council-

**2010-00288**                      **MCELROY, MICHAEL/ROSEMARY**  
**SUTTON**   **Blaisdell Lake**

Requested Action:

Remove an existing 20 ft 6 in x 9 ft 6 in crib supported boat house with a 4 ft x 20 ft 6 in exterior dock on the northern side and replace it with a boat house of the same dimensions and location with the exterior dock located on the southern exterior of the boat house, supported by four 4 ft x 4 ft cribs, install a seasonal boatlift in the interior of the boat house, dredge 29 cubic yards from 519 sq ft of lakebed to provide 3 feet of depth from full lake elevation , and install 4 ft wide seasonal access stairs to the waterbody on an average of 96 ft of frontage on Blaisdell Lake, on Sutton.

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Conservation Commission/Staff Comments:

No Con Com comments by April 20, 2010

Inspection Date: 06/10/2010 by Chris T Brison

**APPROVE PERMIT:**

Remove an existing 20 ft 6 in x 9 ft 6 in crib supported boat house with a 4 ft x 20 ft 6 in exterior dock on the northern side and replace it with a boat house of the same dimensions and location with the exterior dock located on the southern exterior of the boat house, supported by four 4 ft x 4 ft cribs, install a seasonal boatlift in the interior of the boat house, dredge 29 cubic yards from 519 sq ft of lakebed to provide 3 feet of depth from full lake elevation , and install 4 ft wide seasonal access stairs to the waterbody on an average of 96 ft of frontage on Blaisdell Lake, on Sutton.

**With Conditions:**

1. All work shall be in accordance with plans by DB Landscaping LLC dated June 04, 2010, as received by the NH Department of Environmental Services (DES) on June 10, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures with the exception of the location of the dock re-located to the south side of the boat house.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. All dredged material and construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This is a major impact project per Administrative Rule Env-Wt 303.02(g), removal of more than 20 cubic yards of material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on June 15, 2010. Field inspection determined the proposed structure to be more conforming with the Departments rules than repair of the structure in kind by locating the dock farther away from the abutter's property line.
6. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the lacustrine resource, as identified under RSA 482-A:1.
7. The applicant has an average of 96 feet of shoreline frontage along Blaisdell Lake.
8. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
9. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

-Send to Governor and Executive Council-

**2010-00498                      NEW DURHAM, TOWN OF**  
**NEW DURHAM   Unnamed Stream Unnamed Wetland**

**Requested Action:**

Replace existing 36" CMP culverts with 10' wide x 3' high x 35' long precast box culverts with naturalized bottoms at two locations on the same stream, including 1,005 sq. ft. (95 linear ft.) of temporary and permanent impacts on an intermittent stream on Old Bay Road, and 1,030 sq. ft. (132 linear ft.) of impact immediately downstream on Tash Road. Total of 2,035 square feet (227 linear ft.) of permanent and temporary impacts.

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**APPROVE PERMIT:**

Replace existing 36" CMP culverts with 10' wide x 3' high x 35' long precast box culverts with naturalized bottoms at two locations on the same stream, including 1,005 sq. ft. (95 linear ft.) of temporary and permanent impacts on an intermittent stream on Old Bay Road, and 1,030 sq. ft. (132 linear ft.) of impact immediately downstream on Tash Road. Total of 2,035 square feet (227 linear ft.) of permanent and temporary impacts.

**With Conditions:**

1. All work shall be in accordance with plans by CMA Engineers Inc., dated 1/16/2010, as received by DES on 6/11/2010.
  2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
  3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
  4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- and/or
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
  6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
  7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
  8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
  9. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
  10. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
  11. Temporary cofferdams shall be entirely removed immediately following construction.
  12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
  13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
  14. Faulty equipment shall be repaired prior to entering jurisdictional areas.
  15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
  16. All refueling of equipment shall occur outside of surface waters or wetlands.
  17. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), projects that disturb 200 or more linear feet of a perennial nontidal stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing culverts are deteriorated and undersized, and in need of replacement. This project is part of Town efforts to upgrade the condition and flow capacity of several crossings in town.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The new structure will provide greater flow capacity and will provide a bottom with natural textured stone shaping cast in the concrete that will provide greater passage for aquatic species than the existing conditions.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Natural Heritage Bureau as occurring in the project vicinity. The crossing device is designed to pass a 50 year storm with 1' of freeboard, and to pass a 100 year storm without overtopping the road.
5. The New Durham Conservation Commission did not report.
6. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the resource, as identified under RSA 482-A:1.

**2010-00760**

**DARTMOUTH COLLEGE TRUSTEES, C/O REAL ESTATE OFFICE**

**HANOVER Unnamed Stream**

**Requested Action:**

Confirm emergency authorization to stabilize 11,650 square feet (approximately 400 linear feet) of the bank of the Connecticut River.

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**APPROVE PERMIT:**

Confirm emergency authorization to stabilize 11,650 square feet (approximately 400 linear feet) of the bank of the Connecticut River.

**With Conditions:**

1. This permit is contingent upon the revegetation of 11,650 square feet of river bank in accordance with plans by New England Environmental, Inc entitled: Landscape Plan Slope Stabilization (Sheet LS-1) dated January 25, 2010 as received by DES Wetlands on March 24, 2010.
2. Appropriate siltation/erosion/turbidity controls shall remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
4. A post-construction report documenting the status of the plantings, including photographs shall be submitted to the Wetlands Bureau within 60 days of planting.
5. A certified wetland scientist shall conduct a follow-up inspection after the first growing season, to review the success of the plantings and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by September 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each restoration site.
6. Plantings shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
7. This approval is contingent on approval by the DES Alteration of Terrain Bureau.
8. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

9. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Major Project per Administrative Rule Env-Wt 303.02 (i) Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks. For intermittent streams, the distance shall be measured along the thread of the channel. For perennial streams or rivers, the total disturbance shall be calculated by summing the lengths of disturbances to the channel and the banks.
2. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on December 18, 2009 under Wetlands File 2009-2977.
3. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
6. The project was necessary to stabilize the bank and to limit the potential of future slope failure.
7. The applicant has received a Shoreland Protection Permit per RSA 483-B, NHDES Wetlands Bureau File #2010-00657.

**2010-01023                      CRANMORE SKI RESORT INC**  
**CONWAY   Tributary To Gale River**

Requested Action:

Dredge and fill 5,265 square feet of wetland and an intermittent stream (impacting 680 linear feet) to redevelop an area into a tubing park and mountain coaster within the Mt. Cranmore Ski Resort. Mitigate impacts by executing a conservation easement on 53.75 acres of undeveloped land along Kearsarge Brook and Holt Brook. In addition, 450 linear feet (5,400 square feet) of new intermittent stream channel will be created adjacent to the impact area, and 7,800 square feet of previously impacted wetland and 40 linear feet of a perennial stream will be restored through the removal of an existing gravel access road and culvert.

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APPROVE PERMIT:

Dredge and fill 5,265 square feet of wetland and an intermittent stream (impacting 680 linear feet) to redevelop an area into a tubing park and mountain coaster within the Mt. Cranmore Ski Resort. Mitigate impacts by executing a conservation easement on 53.75 acres of undeveloped land along Kearsarge Brook and Holt Brook. In addition, 450 linear feet (5,400 square feet) of new intermittent stream channel will be created adjacent to the impact area, and 7,800 square feet of previously impacted wetland and 40 linear feet of a perennial stream will be restored through the removal of an existing gravel access road and culvert.

With Conditions:

1. All work shall be in accordance with revised plans by H.E Bergeron Engineers, Inc. dated June 7, 2010, as received by the NH Department of Environmental Services (DES) on June 28, 2010.
2. This permit is contingent on approval by the DES Terrain Alteration Bureau.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow conditions.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).

9. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

#### MITIGATION CONDITIONS FOR CREATION/RESTORATION AREAS:

13. This permit is contingent upon the creation of 450 linear feet of new intermittent stream channel adjacent to the impact area, and upon the restoration of 7,800 square feet of previously impacted wetland and 40 linear feet of a perennial stream through the removal of an existing gravel access road and culvert, all in accordance with the revised plans as received by DES on June 28, 2010.
14. The schedule for construction of the creation and restoration areas shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
15. Stream creation and wetland restoration area shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
16. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the creation and restoration areas are constructed in accordance with the approved plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
17. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
18. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the creation and restoration area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
19. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
20. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
21. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the creation and restoration areas during construction and during the early stages of vegetative establishment.
22. A post-construction report with photographs documenting the status of the completed creation and restoration areas shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

#### MITIGATION CONDITIONS FOR PRESERVATION AREA:

23. This permit is contingent upon the execution of a conservation easement on 53.75 acres of undeveloped land as depicted on plans received by DES on June 28, 2010.
24. The conservation easement to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
25. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
26. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments prior to construction.
27. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
28. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
29. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities

shall be subject to the enforcement powers of DES (including remediation and fines).

With Findings:

1. This project is classified as a Major Project per NH Administrative Rule Env-Wt 303.02(i), as intermittent stream impacts are greater than 200 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant proposes to mitigate wetland and stream impacts by executing a conservation easement on 53.75 acres of undeveloped land along Kearsarge Brook and Holt Brook. In addition, 450 linear feet of new intermittent stream channel will be created adjacent to the impact area, and 7,800 square feet of previously impacted wetland and 40 linear feet of a perennial stream will be restored through the removal of an existing gravel access road and culvert.
6. The mitigation package meets the intent and ratios of the Mitigation Rules Env-Wt Chapter 800.
7. Public hearing is not required with the finding that the project will not impact wetland areas that are considered to be of special value from a local, regional, or state perspective pursuant to Rule Env-Wt 101.90.

**MINOR IMPACT PROJECT**

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**2010-00037                      CHALOUX PROPERTIES, JAY CAMPION**  
**LEBANON    Unnamed Wetland**

Requested Action:

Proposal to dredge and fill 6926 sq. ft. of wetlands for access and drainage structures associated with the construction of a new hotel and conference center, roadways, parking and utilities.

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APPROVE PERMIT:

Dredge and fill 3,126 sq. ft. of wetlands for access and drainage structures associated with the construction of a new hotel and conference center, roadways, parking and utilities.

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering & Surveying, Inc., plan sheets 1 through 10 of 44 dated December 17, 2009, plan sheets plan sheet 15, 16, 17, 32, 33, 34, 34a, 35, 36 and 44 of 44 dated April 20, 2010 as received by DES on May 20, 2010 and amended plan sheets 7 and 8 of 48, revision date of July 1, 2010, as received by DES on May 20, 2010.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season,

or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

15. All refueling of equipment shall occur outside of surface waters or wetlands.

16. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The applicant has reduced the proposed impacts from 6,926 square feet of to 3,126 square feet.

6. The Conservation Commission provided comments advising DES against approval of the proposed project.

7. The applicant has indicated that they are coordinating with the Conservation Commission to address their concerns.

8. The applicant has provided a response, dated May 17, 2010, to DES and copied the Conservation Commission responding to the Commission's comments.

9. DES has not received any additional comments from the Conservation Commission since the May 17, 2010 response.

10. DES has received comments from the United States Army Corps of Engineers ("ACOE") indicating the project is ineligible for the New Hampshire State Programmatic General Permit ("SPGP") due to concerns/comments for the United States Environmental Protection Agency ("EPA").

11. The applicant has provided a response to DES and the ACOE.

12. DES has not received any additional comments from the ACOE or EPA.

13. The SPGP will not be valid unless the ACOE agrees with the applicant's response and project design.

**2010-00123**

**NH DEPT OF TRANSPORTATION**

**LANDAFF Unnamed Stream**

**Requested Action:**

Rebuild the invert of a 10.8 ft. x 44 ft. multi plate arch culvert with 6 inches of reinforced concrete, construct cutoff wall and place a stone blanket to prevent erosion impacting 325 sq. ft. of riverine wetlands (292 sq. ft. temporary).

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**Conservation Commission/Staff Comments:**

Cons. Comm. - no comments

Inspection Date: 11/24/2009 by Gino E Infascelli

**APPROVE PERMIT:**

Rebuild the invert of a 10.8 ft. x 44 ft. multi plate arch culvert with 6 inches of reinforced concrete, construct cutoff wall and place a stone blanket to prevent erosion impacting 325 sq. ft. of riverine wetlands (292 sq. ft. temporary). NHDOT project #99031Z

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance signed 11/2009, as received by the Department on Jan. 19, 2010.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Appropriate storm water management and erosion control Best Management Practices (BMP) shall be implemented to ensure turbidity impacts are minimized and water quality standards are not violated. If the BMP conflicts with terms or conditions of this permit, the terms and conditions of this permit shall control.
14. The project engineer shall oversee installation of erosion controls and periodically verify that the controls are properly maintained during construction.
15. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
17. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
18. The work area shall be constructed to protect the existing structure while minimizing permanent impacts and enhancing aquatic organism passage.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of banks of a stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES staff inspection on November 24, 2009 found the bottom of the culvert deteriorating.
6. The existing perched condition of the culvert outlet prevents aquatic organism passage and there are no practicable methods to modify this.
7. The Natural Heritage Bureau reviewed the project and found the activity is not expected to impact the noted species.

**2010-00196                      NH DEPT OF TRANSPORTATION**  
**LITTLETON   Cow Brook**

**Requested Action:**

Rebuild the invert of a 10 ft. x 89 ft. multi plate arch culvert with 6 inches of reinforced concrete, repair cutoff walls and place a stone blanket at the outlet to prevent erosion impacting 859 sq. ft. of riverine wetlands (637 sq. ft. temporary).

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**Conservation Commission/Staff Comments:**

Cons. Comm. - no comments

River Advisory Comm. supports improvement for fish passage.

**APPROVE PERMIT:**

Rebuild the invert of a 10 ft. x 89 ft. multi plate arch culvert with 6 inches of reinforced concrete, repair cutoff walls and place a stone blanket at the outlet to prevent erosion impacting 859 sq. ft. of riverine wetlands (637 sq. ft. temporary). NHDOT project #99018Z

**With Conditions:**

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated 3/3/09 and 11/24/09, as received by the Department on Jan. 28, 2010.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Appropriate storm water management and erosion control Best Management Practices (BMP) shall be implemented to ensure turbidity impacts are minimized and water quality standards are not violated. If the BMP conflicts with terms or conditions of this permit, the terms and conditions of this permit shall control.
14. The project engineer shall oversee installation of erosion controls and periodically verify that the controls are properly maintained during construction.
15. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
17. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

18. The work area shall be constructed to protect the existing structure while minimizing permanent impacts and enhancing aquatic organism passage.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of banks of a stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES staff inspection on November 24, 2009 found the bottom of the culvert deteriorating.
6. The existing perched condition of the culvert outlet reduces aquatic organism passage. The proposed plans will improve the opportunity for passage.
7. Recommendations by NH Fish and Game Dept. have been incorporated into the plans submitted.

**2010-00499                      NEW DURHAM, TOWN OF**  
**NEW DURHAM   Unnamed Stream Unnamed Wetland**

Requested Action:

Impact a total of 285 sq. ft. (120 linear ft. including 15 linear ft. at 4 locations) of stream bank to install two additional 24" x 40' long culverts trenched into the upland adjacent to existing culverts to improve hydraulic capacity and alleviate severe flooding during large storm events on Copplecrown Rd.

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APPROVE PERMIT:

Impact a total of 285 sq. ft. (120 linear ft. including 15 linear ft. at 4 locations) of stream bank to install two additional 24" x 40' long culverts trenched into the upland adjacent to existing culverts to improve hydraulic capacity and alleviate severe flooding during large storm events on Copplecrown Rd.

With Conditions:

1. All work shall be in accordance with plans by CMA Engineers Inc., dated 1/16/2010, as received by DES on 6/11/2010.
  2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
  3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
  4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- and/or
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
  6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
  7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
  8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
  9. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
  10. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
  11. Temporary cofferdams shall be entirely removed immediately following construction.

12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
14. Faulty equipment shall be repaired prior to entering jurisdictional areas.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands.
17. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), projects that disturb less than 200 linear feet of an intermittent or perennial nontidal stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing culverts have insufficient hydraulic capacity on large storm events resulting in severe flooding. This project is part of Town efforts to upgrade the condition and flow capacity of several crossings in town.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The new structures are to be cut into the upland and will provide greater flow capacity to alleviate the flooding problem.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Natural Heritage Bureau as occurring in the project vicinity. The crossing device is designed to pass a 50 year storm and to pass a 100 year storm without overtopping the road.
5. The New Durham Conservation Commission did not report.

**2010-00500                      NEW DURHAM, TOWN OF**  
**NEW DURHAM   Unnamed Wetland Ela River**

Requested Action:

Impact a total of 1,130 sq. ft. (85 linear ft.) of stream bank to install an 103"wide x 71" high x 57' long galvanized squash culvert trenched into the upland adjacent to existing 6' open bottom box culvert to improve hydraulic capacity of the Tash Road crossing of the Ela River.

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APPROVE PERMIT:

Impact a total of 1,130 sq. ft. (85 linear ft.) of stream bank to install an 103"wide x 71" high x 57' long galvanized squash culvert trenched into the upland adjacent to existing 6' open bottom box culvert to improve hydraulic capacity of the Tash Road crossing of the Ela River.

With Conditions:

1. All work shall be in accordance with revised plans by CMA Engineers Inc., dated June 2010, as received by DES on 6/11/2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.  
and/or
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no

turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
9. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
10. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
14. Faulty equipment shall be repaired prior to entering jurisdictional areas.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands.
17. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), projects that disturb less than 200 linear feet of an intermittent or perennial nontidal stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing culvert has insufficient hydraulic capacity on large storm events resulting in severe flooding. This project is part of Town efforts to upgrade the condition and flow capacity of several crossings in town.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The new structure will be cut into the upland and will provide greater flow capacity to alleviate the flooding problem.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Natural Heritage Bureau as occurring in the project vicinity. The crossing device is designed to pass a 50 year storm and to pass a 100 year storm without overtopping the road.
5. The New Durham Conservation Commission did not report.

**2010-00611                      NEW DURHAM, TOWN OF**  
**NEW DURHAM   Ela River**

Requested Action:

Impact 1,180 sq. ft.(145 linear ft.) on the Ela River to install 12'wide x 5' high x 30'long box culvert with naturalized bottom, associated headwalls and inlet/outlet protection, to replace existing 60" pipe on Old Bay Road West.

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APPROVE PERMIT:

Impact 1,180 sq. ft.(145 linear ft.) on the Ela River to install 12'wide x 5' high x 30'long box culvert with naturalized bottom, associated headwalls and inlet/outlet protection, to replace existing 60" pipe on Old Bay Road West.

With Conditions:

1. All work shall be in accordance with revised plans by CMA Engineers Inc., dated 6/14/2010, as received by DES on 6/15/2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.  
and/or
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
9. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
10. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
14. Faulty equipment shall be repaired prior to entering jurisdictional areas.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands.
17. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), projects that disturb less than 200 linear feet of an intermittent or perennial nontidal stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing culverts are deteriorated and undersized, and in need of replacement. This project is part of Town efforts to upgrade the condition and flow capacity of several crossings in town.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The new structure will provide greater flow capacity and will provide a bottom with natural textured stone shaping cast in the concrete that will provide greater passage for aquatic species than the existing conditions.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Natural Heritage Bureau as occurring in the project vicinity. The crossing device is designed to pass a 50 year storm and to pass a 100 year storm without overtopping the road.
5. The New Durham Conservation Commission did not report.

**2010-00612                      NEW DURHAM, TOWN OF**  
**NEW DURHAM   Unnamed Stream**

**Requested Action:**

Impact 900 sq. ft. (123 linear ft.) of perennial stream to install a 10' wide x 4' high x 36' long replacement box culvert with naturalized bottom on Birch Hill Rd.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 900 sq. ft. (123 linear ft.) of perennial stream to install a 10' wide x 4' high x 36' long replacement box culvert with naturalized bottom on Birch Hill Rd.

**With Conditions:**

1. All work shall be in accordance with revised plans by CMA Engineers Inc., dated 6/10/2010, as received by DES on 6/11/2010.
  2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
  3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
  4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- and/or
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
  6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
  7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
  8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
  9. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
  10. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
  11. Temporary cofferdams shall be entirely removed immediately following construction.
  12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
  13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
  14. Faulty equipment shall be repaired prior to entering jurisdictional areas.
  15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
  16. All refueling of equipment shall occur outside of surface waters or wetlands.
  17. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(I), projects that disturb less than 200 linear feet of an intermittent or perennial nontidal stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing culverts are deteriorated and undersized, and in need of replacement. This project is part of Town efforts to upgrade the condition and flow

capacity of several crossings in town.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The new structure will provide greater flow capacity and will provide a bottom with natural textured stone shaping cast in the concrete that will provide greater passage for aquatic species than the existing conditions.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Natural Heritage Bureau as occurring in the project vicinity. The crossing device is designed to pass a 50 year storm and to pass a 100 year storm without overtopping the road.

5. The New Durham Conservation Commission did not report.

**2010-00614                      NEW DURHAM, TOWN OF**  
**NEW DURHAM   Unnamed Stream**

**Requested Action:**

Impact 890 sq. ft. ( 190 linear ft.)of perennial stream to install a 7'wide x 4'high x 35'long box culvert with associated headwalls and rip rap slope protection, as replacement for existing 42" pipe culvert on King's Highway.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 890 sq. ft. ( 190 linear ft.)of perennial stream to install a 7'wide x 4'high x 35'long box culvert with associated headwalls and rip rap slope protection, as replacement for existing 42" pipe culvert on King's Highway.

**With Conditions:**

1. All work shall be in accordance with revised plans by CMA Engineers Inc., dated 7/8/2010, as received by DES on 7/8/2010.
  2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
  3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
  4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- and/or
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
  6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
  7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
  8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
  9. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
  10. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
  11. Temporary cofferdams shall be entirely removed immediately following construction.
  12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
  13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
  14. Faulty equipment shall be repaired prior to entering jurisdictional areas.
  15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

16. All refueling of equipment shall occur outside of surface waters or wetlands.
17. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), projects that disturb less than 200 linear feet of an intermittent or perennial nontidal stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing culverts are deteriorated and undersized, and in need of replacement. This project is part of Town efforts to upgrade the condition and flow capacity of several crossings in town.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The new structure will provide greater flow capacity and will provide a bottom with natural textured stone shaping cast in the concrete that will provide greater passage for aquatic species than the existing conditions.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Natural Heritage Bureau as occurring in the project vicinity. The crossing device is designed to pass a 50 year storm and to pass a 100 year storm without overtopping the road.
5. The New Durham Conservation Commission did not report.

**2010-00983                      GERNGROSS, TILLMAN & SYLVIA RICHARDS**  
**HOLDERNESS   Unnamed Pond Squam Lake**

Requested Action:

Install a 6 ft x 40 ft seasonal dock, on frontage with an existing 3 ft 6 in by 20 ft seasonal dock on an average of 351 ft of frontage on Squam Lake, in Holderness.

\*\*\*\*\*

Conservation Commission/Staff Comments:

No comments by Con Com by 07/08/2010

APPROVE PERMIT:

Install a 6 ft x 40 ft seasonal dock, on frontage with an existing 3 ft 6 in by 20 ft seasonal dock on an average of 351 ft of frontage on Squam Lake, in Holderness.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants dated March 29, 2010, as received by the NH Department of Environmental Services (DES) on April 19, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. All portions of the docks shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. The seasonal piers shall be removed from the lake for the non-boating season.
6. No portion of the new pier shall extend more than 40 feet from the shoreline at full lake elevation.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a docking system which exceeds the minimum impact criteria for docks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has an average of 351 feet of shoreline frontage along Squam Lake.
4. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

**2010-01141                      DECOTEAU, MARK**  
**WATERVILLE VALLEY   Unnamed Stream**

Requested Action:

Fill 1,139 sq. ft. of wetland and install an 18 inch culvert within an intermittent stream for the construction of a parking lot for an existing elementary school.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. recommends approval.

APPROVE PERMIT:

Fill 1,139 sq. ft. of wetland and install an 18 inch culvert within an intermittent stream for the construction of a parking lot for an existing elementary school.

With Conditions:

1. All work shall be in accordance with plans by Steven J. Smith Associates, Inc. dated April 19, 2010, as received by the Department on May 3, 2010.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
3. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
4. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), projects that alter the course of or disturb less than 200 linear feet of an intermittent stream.
2. The need for the proposed impacts has been addressed by the applicant per Env-Wt 302.04(a)(1).
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction per Env-Wt 302.04(2).

**MINIMUM IMPACT PROJECT**

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**2009-01446                      MARCHEK, DIANE**  
**MOULTONBOROUGH   Lake Winnepesaukee**

**Requested Action:**

Applicant requests reconsideration of the Department's previous decision to deny the application for a 50 ft long docking structure on the grounds that the structure would be consistent with those existing on the abutting properties.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Con Com submitted comments about congestion, excessive length per DES rules

**APPROVE RECONSIDERATION:**

Reconsider and approve permit to: Install a 3 ft 2 in x 50 ft seasonal dock on 48 ft of frontage on Lake Winnepesaukee, Center Harbor.

**With Conditions:**

1. All work shall be in accordance with plans received by the NH Department of Environmental Services (DES) on July 10, 2009.
2. This permit does not allow dredging for any purpose.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
4. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. The seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 50 ft from the shoreline at full lake elevation.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a 2 slip seasonal pier.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. Field inspection on by DES staff July 17, 2010, found that the proposed pier is consistent with those found on abutting frontages and will not pose a hazard to navigation in this area.
5. The Applicant has provided signed, notarized, permission for the encroachment on the 20 ft setback to the extension of the property line over the water from the affected abutter.

**2009-02688                      KINGSWOOD GOLF CLUB INC**  
**WOLFEBORO   Unnamed Wetland**

**Requested Action:**

After-the-fact request to retain 700 sq. ft. of fill placed in a wetland to correct an unfair play in the course and address safety concerns.

\*\*\*\*\*

**APPROVE PERMIT:**

After-the-fact approval to retain 700 sq. ft. of fill placed in a wetland adjacent to the 10th fairway to correct an unfair play in the course and address safety concerns. Amended work includes planting an approximately 1,000 sq. ft. wetlands buffer along the existing wetland adjacent to the 14th fairway to offset/mitigate for the retained wetlands impacts.

**With Conditions:**

1. All work shall be in accordance with plans by Fernstone Associates for the Natural Resources dated October 20, 2009, as

received by the NH Department of Environmental Services (DES) on November 5, 2009 and plan dated June 9, 2010, as received by the NH Department of Environmental Services (DES) on June 10, 2010.

2. Appropriate siltation/erosion/turbidity controls shall remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
4. The wetland buffer plantings shall be 2 to 3 ft. in height or taller blueberry bushes and planted/completed by August 20, 2010 with a follow-up monitoring report with photographs submitted to DES by September 3, 2010 and October 1, 2011.
5. The wetland buffer plantings shall have at least 75% successful establishment after two (2) growing seasons, or it shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
6. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands.
2. The Conservation Commission submitted comments questioning the justification for the fill and questioning whether removal of the fill was appropriate and more impacting than leaving in place.
3. The applicant contends the fill is to address fair play and safety concerns.
4. DES requested that the applicant look for an area that may benefit from wetlands restoration or a planted wetlands buffer to offset impacts resulting from the wetlands fill.
5. The proposed impact is limited in size and along an existing golf course trail and fairway.
6. The applicant has agreed to provide a wetland buffer consisting of fruit bearing shrubs along the 14th fairway to offset the retained wetland impacts.
7. DES has not received any additional comments from the Conservation Commission.

**2009-02755 MTJ REALITY LLC, GARY MARIQUE  
MILTON Northeast Pond**

Requested Action:

Maintenance dredge two areas totalling 870 square feet of accumulated sediment from a permitted slip area within the margins of an unnamed brook adjacent to Northeast Pond.

\*\*\*\*\*

Inspection Date: 04/22/2010 by Dori A Wiggin

APPROVE PERMIT:

Maintenance dredge two areas totalling 870 square feet of accumulated sediment from a permitted slip area within the margins of an unnamed brook adjacent to Northeast Pond.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering LLC dated 10/12/2009, as received by the NH Department of Environmental Services (DES) on 11/18/2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be done during drawdown.
6. Dredge shall be limited to the clearly discernable sand depositions, and shall not exceed the natural substrate elevation to deepen the brook.

7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
9. Faulty equipment shall be repaired prior to entering jurisdictional areas.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum based on degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. Docking was approved at this property on the lakefront and within the adjacent area of the brook under permit 92-1910. Sand from the various beaches along the lakefront migrates over time into this area, making it impossible to access the slips.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The maintenance dredge is confined to the margins of the brook, upstream from the confluence of the brook and lake, and will occur within the same footprint previously approved to be dredged under permit 2003-514. The requested impact represents only 23% of the footprint approved to be dredged in 2003, and will not increase the depth of the brook below its natural bottom.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by NH Natural Heritage Bureau as occurring in the project vicinity; no comments were received from NH Fish and Game Department.
5. DES field inspected the site on 4/22/2010. Field inspection confirmed that removal during drawdown of the two sand deposits, which are located above the thread of the stream at low water or low flow conditions, represents minimal environmental impact, but great functional improvement to the use of the permitted docks.
6. The Milton Conservation Commission did not report.

**2010-00486                      BARNSTEAD, TOWN OF**  
**BARNSTEAD   Big River**

Requested Action:

Upgrade an existing 14 ft x 32 ft gravel boat ramp by adding gravel to the ramp, add rock lined swales to the sides of the ramp, on Big River, Barnstead.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com submitted application on behalf of town

DENY PERMIT:

Upgrade an existing 14 ft x 32 ft gravel boat ramp by adding gravel to the ramp, add rock lined swales to the sides of the ramp, on Big River, Barnstead.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
2. This project is classified as a minimum impact per Rule Env-Wt 303.04(m), "Projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.03 or Env-Wt 303.02."
3. In accordance with RSA 482-A:3,XIV(2) the Department may "request any additional information that the department is

permitted by law to require to complete its evaluation of the application, together with any written technical comments the department deems necessary."

4. In accordance with RSA 482-A:3, XIV (3) "Where the department requests additional information pursuant to subparagraph (a)(2), within 30 days of the department's receipt of a complete response to the department's information request: (A) Approve or deny the application, in whole or in part".

#### Findings of Fact

1. On March 04, 2010, the Wetlands Bureau received an complete application for surface water impacts on the lot identified as Barnstead tax map 20, lot 36-1, to Upgrade an existing 14 ft x 32 ft gravel boat ramp by adding gravel to the ramp, add rock lined swales to the sides of the ramp, on Big River, Barnstead.
2. On May 12, 2010, the Wetland Bureau issued a Request for More Information letter to the applicant and the agent. The Request for More Information letter stated, "The information submitted is not clear on the proposed project. Is the proposed project to re-grade and re-surface the entire access ramp, or just impact the sides of the existing access area? Is the proposal to add a berm on the shoreward portion of the ramp to prevent storm runoff from traveling down the ramp? Please submit plans which clearly indicate the proposed project. How much material will be placed on the area, submit information indicating the volume of material to be placed or excavated and the area where material will be placed to complete the proposed work."
3. The applicant submitted a response to the DES Wetlands Bureau on June 11, 2010. The information submitted included a construction sequence but did not include a plan as requested.

#### Rulings in Support of Denial

1. The agent did not submit the information requested in the Request for More Information letter, specifically a plan clearly indicating the proposed project, therefore pursuant to RSA 482-A:3, the application is denied.

### **2010-00575                      CONTEMPORARY & EXQUISITE HOME BUILDERS, BRUCE CAMP WOLFEBORO   Lake Winnepesaukee**

#### Requested Action:

Install a 6 ft x 40 ft seasonal dock connected to a 6 ft x 4 ft concrete pad installed in the bank, install a seasonal boat lift in the southerly slip on 101 ft of frontage on Lake Winnepesaukee, in Wolfeboro.

\*\*\*\*\*

#### Conservation Commission/Staff Comments:

Con Com questions the need for permanent boatlift supports

Inspection Date: 04/12/2010 by Jeffrey D Blecharczyk

#### APPROVE PERMIT:

Install a 6 ft x 40 ft seasonal dock connected to a 6 ft x 4 ft concrete pad installed in the bank, install a seasonal boat lift in the southerly slip on 101 ft of frontage on Lake Winnepesaukee, in Wolfeboro.

#### With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on June 16, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. No work shall be done under this permit until all restoration plantings have been installed as required to bring the frontage into compliance with the Comprehensive Shoreland Protection Act, RSA 483-B.
4. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. The seasonal pier shall be removed from the lake for the non-boating season.

6. No portion of the pier shall extend more than 40 ft from the shoreline at full lake elevation.
7. The seasonal boat lift shall be removed from the waterbody for the non-boating season.
8. The concrete pad shall be located entirely behind full lake elevation and behind the natural undisturbed shoreline.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a seasonal dock.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has an average of 101 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
6. The restoration of impacts to protected shorelands is required under Shoreland File # 2009-2771.

**2010-00916                      CLEMENT III, CHARLES**  
**WOLFEBORO   Lake Winnepesaukee**

Requested Action:

Permanently remove a seasonal "L" shaped docking system, install a 6 ft x 44 ft seasonal dock and a 6 ft x 4 ft concrete pad, install 6 ft wide access steps through the bank, on Lake Winnepesaukee, Wolfeboro.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Permanently remove a seasonal "L" shaped docking system, install a 6 ft x 44 ft seasonal dock and a 6 ft x 4 ft concrete pad, install 6 ft wide access steps through the bank, on Lake Winnepesaukee, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group, as received by the NH Department of Environmental Services (DES) on April 14, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 44 feet from the shoreline at full lake elevation.
6. The concrete pad shall be located entirely behind full lake elevation and behind the natural undisturbed shoreline.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a seasonal dock.
2. The applicant has an average of 203 feet of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

**2010-01096                      USDA FOREST SERVICE, WHITE MTN NATIONAL FOREST**  
**BERLIN   Tributary To Ammonoosuc River**

**Requested Action:**

Temporarily impact a total of 1,756 sq. ft. of surface water for maintenance and repair of an existing dam, including the following: 36 sq. ft. of temporary impact for the installation of a temporary water intake structure, installation of structural cofferdams to dewater 670 sq. ft. of Godfrey Reservoir and dewater 1,050 sq. ft. of the Upper Ammonoosuc River to rehabilitate the Godfrey Dam gate works and replace 95 linear ft. of 24 in. water transmission pipeline within the same footprint, configuration, construction type, and dimensions.

\*\*\*\*\*

**APPROVE PERMIT:**

Temporarily impact a total of 1,756 sq. ft. of surface water for maintenance and repair of an existing dam, including the following: 36 sq. ft. of temporary impact for the installation of a temporary water intake structure, installation of structural cofferdams to dewater 670 sq. ft. of Godfrey Reservoir and dewater 1,050 sq. ft. of the Upper Ammonoosuc River to rehabilitate the Godfrey Dam gate works and replace 95 linear ft. of 24 in. water transmission pipeline within the same footprint, configuration, construction type, and dimensions.

**With Conditions:**

1. All work shall be in accordance with plans by Provan & Lorber, Inc. dated July 2009, as received by the Department on April 30, 2010.
2. All work shall be done in the dry.
3. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with haybales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 ft. of undisturbed vegetated buffer.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
6. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(1), temporary cofferdams and other water control devices constructed in flowing water or adjacent to dams in conjunction with the repair or maintenance of existing structures.
2. The need for the proposed impacts has been addressed by the applicant per Env-Wt 302.01. The repairs are needed to comply with the DES Dam Safety Bureau Letter of Deficiency DSP #09-019.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction per Env-Wt 302.03.

**2010-01261                      NH DEPT OF TRANSPORTATION**  
**ALTON   Unnamed Wetland**

**Requested Action:**

Reconfigure Rte. 11 approaches to the traffic circle to improve safety, construct sidewalks, curbs, closed drainage system, slope drains and repair a headwall impacting 1,838 sq. ft. of wetlands (98 Sq. ft. temporary). Mitigation is through payment to the Aquatic

Resource Compensatory Mitigation fund.

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Conservation Commission/Staff Comments:

Cons. Comm. - no objections

APPROVE PERMIT:

Reconfigure Rte. 11 approaches to the traffic circle to improve safety, construct sidewalks, curbs, closed drainage system, slope drains and repair a headwall impacting 1,838 sq. ft. of wetlands (98 Sq. ft. temporary). Mitigation is through payment to the Aquatic Resource Compensatory Mitigation fund. NHDOT project #14121A.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design, sheet 1 of 5 dated 04/10 and sheets 4 and 5 of 5 dated 11/09, all as received by the Department on May 18, 2010.
2. Any dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
6. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
9. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Work shall be done during low flow.
12. This permit is contingent on coordination and approval by the DES Waste Management Division.
13. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
14. This approval is contingent on receipt by DES of a one time payment of \$165,692.62 to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES within 120 days of the date of the approval letter.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of swamps or wet meadow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. NH Fish and Game Dept. indicates there should be no impacts to the species listed in the area.
6. The payment into the DES Aquatic Resource Mitigation (ARM) Fund completes the outstanding mitigation from the previous construction impacts along Rte. 28 conducted under permit 2002-01078.

Requested Action:

Fill approximately 1,000 square feet within the bed and banks of Chase Brook along 1,000 linear feet by incorporating trees/wood into the brook by hand (no equipment) to restore aquatic habitat for native brook trout.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Restoration project is supported by the NH Fish & Game and US Forest Service by serving on the Advisory Board for this trout habitat improvement project.

APPROVE PERMIT:

Fill approximately 1,000 square feet within the bed and banks of Chase Brook along 1,000 linear feet by incorporating trees/wood into the brook by hand (no equipment) to restore aquatic habitat for native brook trout.

With Conditions:

1. All work shall be in accordance with the approved plans, as received by DES on May 25, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow conditions.
4. A post-construction report with photographs documenting the status of the completed project shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
5. Trees that are stabilizing slopes and banks shall be left intact.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(t), as the project proposed to restore degraded aquatic resources that benefit native brook trout.
2. This restoration project is supported by the NH Fish & Game Dept. and the US Forest Service by serving on the Advisory Board for this trout habitat improvement project.
3. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**FORESTRY NOTIFICATION**

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**2010-01502                      BAILLARGEON, PETER**  
**COLUMBIA   Unnamed Stream**

COMPLETE NOTIFICATION:  
Columbia Tax Map 405, Lot# 23

**2010-01592                      CONNECTICUT LAKES REALTY TRUST**  
**PITTSBURG   Unnamed Stream**

COMPLETE NOTIFICATION:  
Pittsburg Tax Map 1, Lot# 26

**2010-01593                      CONNECTICUT LAKES REALTY TRUST**  
**CLARKSVILLE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Clarksville Tax Map R6, Lot# 2

**2010-01621                      GARRISON GLEN LLC**  
**EXETER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Exeter Tax Map 46, Lot# 3

**2010-01622                      CHECKERBERRY FARM REALTY TRUST, SALLY HUNTER**  
**WOLFEBORO   Unnamed Stream**

COMPLETE NOTIFICATION:  
Wolfeboro Tax Map 168, Lot# 2

**2010-01623                      ANDERSON, DAVID**  
**AUBURN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Auburn Tax Map 5, Lot# 19

**2010-01664                      REICHEL, PETER**  
**NELSON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Nelson Tax Map 7, Lot# 16

**2010-01665                      RIVERVAIL FARM REALTY TRUST**  
**ERROL   Unnamed Stream**

COMPLETE NOTIFICATION:  
Errol Tax Map R13, Lot# 26C

**2010-01668                      MATHEWS, ROBERT & BARBARA**  
**DEERFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Deerfield Tax Map 414, Lot# 13

**2010-01679                      KOKAS, DAN**  
**ORANGE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Orange Tax Map 7, Lot# 4

**2010-01683**                      **IVES ET AL/ FEBONIO, HOWARD & LAURIE/ SALLY**  
**GILMANTON**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Gilmanton Tax Map 414, Lot# 96

**2010-01687**                      **INGOLDSBY TRUST MARION, ROBERT TRUSTEE**  
**ACWORTH**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Acworth Tax Map 80, Lot# 245-11, 527A, 572C & 4

**2010-01692**                      **HARDING TRUST, VIRGINIA**  
**WAKEFIELD**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Wakefield Tax MAp/Lot# 222/10, 223/18, 226/2

**2010-01695**                      **SPOFFORD, ROBERT**  
**CONCORD**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Concord Tax Map 103, Lot# 7

**2010-01700**                      **NOMINEE TRUST III, EDWARDS**  
**PLYMOUTH**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Plymouth TAx Map 241, Lot# 12

**2010-01701**                      **ROYSTER, JRA & CORRANN**  
**OSSIPEE**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Ossipee Tax Map 24, Lot# 10

**EXPEDITED MINIMUM**

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**2006-00763                      BARDAPH LLC**  
**DERRY   Unnamed Wetland**

**Requested Action:**

Applicant requests to amend existing impacts by reducing the impacts from 1,100 square feet to 580 square feet for the construction of bridge footings and a bridge for access to a parking area on a commercial lot of 3.61 acres.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

The Derry Conservation Commission signed the Minimum Impact Expedited Application.

**APPROVE AMENDMENT:**

Reduce the impacts from 1,100 square feet to 580 square feet for the construction of bridge footings and a bridge for access to a parking area on a commercial lot of 3.61 acres.

**With Conditions:**

1. All work shall be in accordance with the plans by Sublime Civil Consultants, Inc. dated June 01, 2010, as received by the Department on June 10, 2010.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Work shall be done during seasonal low flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01, as the impacts are necessary for access.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03, as the crossing is located at the narrowest portion of wetlands.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2009-02607                      DOWNES, ROY**  
**SALISBURY   Unnamed Wetland**

**Requested Action:**

Proposal to dredge and fill 8,400 sq. ft. of wetlands for the construction of a wildlife and irrigation pond.

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge and fill 8,400 sq. ft. of wetlands for the construction of a wildlife and irrigation pond.

**With Conditions:**

1. All work shall be done in accordance with plans by USDA Natural Resources Conservation Service, dated April 21, 2010, and received by DES on April 23, 2010.
2. Work shall be done during low flow.
3. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
9. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
10. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04 (p) Construction of a pond with less than 20,000 sq. ft. of wetlands impact, provided:
  - (1) None of the wetlands have very poorly drained soil as defined in Env-Ws 1002.84;
  - (2) There are no streams into or out of the proposed pond site;
  - (3) The project is not located in prime wetlands; and
  - (4) The project does not meet the requirements of Env-Wt 303.02(k);
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Conservation Commission signed the original minimum impact expedited application for the 161,000 square feet of wetlands impact waiving their right to intervene.
6. The original design did not qualify for as a minimum impact project. Through discussion with DES and the applicant the project has been revised from 161,000 square feet of wetland impacts to 8,400 square feet, which qualifies as a minimum impact project for pond construction.
7. DES has not received any comments from the Conservation Commission on the revised design.
8. DES has not received any public comments regarding the project.

**2010-00534                      CLARK, RICHARD & JUDITH**  
**DEERFIELD   Northwood Lake**

Requested Action:

Repair "in kind" 49 linear feet of retaining wall, repair the foundation supporting a 25 ft x 12.8 ft boathouse, on Northwood Lake, Deerfield.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair "in kind" 49 linear feet of retaining wall, repair the foundation supporting a 25 ft x 12.8 ft boathouse, on Northwood Lake, Deerfield.

With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on June 11,

2010.

2. Area shall be regraded to original contours following completion of work.
3. This permit does not allow dredging for any purpose.
4. Work shall be done during drawdown.
5. Repair shall maintain existing size, location and configuration.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
8. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair existing retaining walls during draw down.

**2010-01292                      USDA FOREST SERVICE, WHITE MTN NATIONAL FOREST**  
**RANDOLPH   Tributary To Upper Ammonoosuc River**

Requested Action:

Replace three existing culverts with larger culverts, on Bend Brook and two unnamed perennial streams, temporarily impacting 810 square feet of perennial stream bed and banks.

\*\*\*\*\*

APPROVE PERMIT:

Replace three existing culverts with larger culverts, on Bend Brook and two unnamed perennial streams, temporarily impacting 810 square feet of perennial stream bed and banks.

With Conditions:

1. All work shall be in accordance with plans by the U.S. Department of Agriculture, Forest Service entitled Bog Loop Culverts: Bend Brook (S1); Stream Crossing 2 (S1); Upper Ammo T1 (S2); Stream Crossing 1 (S3); Upper Ammo T2 (S3); Stream Crossing 1 (S2); GC1, DW1, EC1) and the Construction Sequence and Erosion Control narrative as received by DES on May 24, 2010.
2. Work shall be done during low flow.
3. The Permittee shall monitor the weather and not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
7. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse.
8. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
9. All equipment shall work from adjacent banks or uplands and shall not enter flowing water.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized

within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

19. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

**With Findings:**

1. This is a Minimum Impact Project per Env-Wt 303.04 (o) projects deemed minimum impact by the department based on the degree of environmental impact.
  2. The purpose of this project is to improve stream connectivity in the headwaters of the Upper Ammonoosuc River watershed
  3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
  5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
  6. The existing culverts prevent aquatic organism passage and cause erosion and deposition.
  7. The new culverts were designed for 50 year flood flows and to provide fish passage.
  8. Within each structure the stream bed will be simulated with natural rock and to the natural grade under the supervision of the Forest Fishery Biologist.
  9. The NH Natural Heritage Bureau commented that "The species noted below occurs on the roadside in the vicinity of one of the culverts in question. Please be sure that someone on site can identify the plant and stake out its location so that it is avoided by construction equipment during the culvert rehabilitation."
  10. The US Forest Service botanist, who identified the plant, has reviewed the project and will be monitoring the area.
- Furthermore, the current project does not include the culvert referred to by the NH Natural Heritage Bureau.

**2010-01323                      ROTH, KEVIN  
DEERING   Deering Reservoir**

**Requested Action:**

Install a 4 ft x 20 ft seasonal dock with a seasonal boatlift in the southerly slip on Deering Reservoir, Deering.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Con Com did not sign Exp Application and did not submit comments

**APPROVE PERMIT:**

Install a 4 ft x 20 ft seasonal dock with a seasonal boatlift in the southerly slip on Deering Reservoir, Deering.

**With Conditions:**

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on May 25, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 20 feet from the shoreline at full lake elevation.
6. The seasonal boatlift shall be removed for the non-boating season.

7. This permit does not allow for the installation of a seasonal canopy.
8. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a seasonal dock.
2. The applicant has an average of 278 feet of shoreline frontage along Deering Reservoir.
3. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

**2010-01469                      SORLIEN, ROGER**  
**NORTH SANDWICH   Mill Brook**

Requested Action:

Fill approximately 1,000 square feet within the bed and banks of Mill Brook along 1,000 linear feet by incorporating trees/wood into the brook by hand (no equipment) to restore aquatic habitat for native brook trout.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Restoration project is supported by the NH Fish & Game and US Forest Service by serving on the Advisory Board for this trout habitat improvement project.

APPROVE PERMIT:

Fill approximately 1,000 square feet within the bed and banks of Mill Brook along 1,000 linear feet by incorporating trees/wood into the brook by hand (no equipment) to restore aquatic habitat for native brook trout.

With Conditions:

1. All work shall be in accordance with the approved plans, as received by DES on June 9, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow conditions.
4. A post-construction report with photographs documenting the status of the completed project shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
5. Trees that are stabilizing slopes and banks shall be left intact.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(t), as the project proposed to restore degraded aquatic resources that benefit native brook trout.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-01470                      FINN, CATHERINE/JOHN**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Permanently remove all existing docking structures on the frontage, install a 6 ft x 40 ft seasonal dock connected to a 6 ft x 4 ft concrete pad located behind the natural undisturbed shoreline, on Lake Winnepesaukee, Meredith.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Applicaiton

APPROVE PERMIT:

Permanently remove all existing docking structures on the frontage, install a 6 ft x 40 ft seasonal dock connected to a 6 ft x 4 ft concrete pad located behind the natural undisturbed shoreline, on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants dated May 26, 2010, as received by DES on June 09, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
6. The concrete pad shall be located entirely behind full lake elevation and behind the natural undisturbed shoreline.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a seasonal dock.

**2010-01533                      VESTNER, ELIZABETH**  
**PORTSMOUTH   North Mill Pond**

Requested Action:

Impact 4 sq. ft. to replace four pilings within the same footprint which support an existing tidal dock.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. signed expedited application.

APPROVE PERMIT:

Impact 4 sq. ft. to replace four pilings within the same footprint which support an existing tidal dock.

With Conditions:

1. All work shall be in accordance with plans by Riverside & Pickering Marine Contractors dated June 8, 2010, as received by the Department on June 14, 2010.
2. All work shall be done during low tide conditions.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
5. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by

mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v), maintenance, repair, and replacement in-kind of existing docking structures.
2. The need for the proposed impact has been demonstrated by the applicant per Administrative Rule Env-Wt 302.01(a). Maintenance of the existing pilings is necessary to continue to provide adequate structural integrity of the existing tidal dock.

**2010-01608                      BRENNAN, JOHN & MARY ELLEN**  
**FREEDOM   Danforth Pond**

Requested Action:

Replace existing concrete block retaining walls and steps with walls and steps of the same length, height, and configuration along 100 ft of frontage on Danforth Pond, in Freedom.

\*\*\*\*\*

APPROVE PERMIT:

Replace existing concrete block retaining walls and steps with walls and steps of the same length, height, and configuration along 100 ft of frontage on Danforth Pond, in Freedom.

With Conditions:

1. All work shall be in accordance with plans by John Brennan received by DES on June 18, 2010.
2. The repair/replacement of the structures shall maintain existing size, location, and configuration
3. Retaining wall shall be constructed completely within the footprint of the pre-existing wall.
4. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v), repair of non-docking structures.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-01653                      CHARLESTOWN, TOWN OF**  
**CHARLESTOWN   Clay Brook**

Requested Action:

Dredge and fill 30 sq. ft. and temporarily impact 90 sq. ft. of palustrine emergent wetlands for construction of a water pumping station.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill 30 sq. ft. and temporarily impact 90 sq. ft. of palustrine emergent wetlands for construction of a water pumping station.

With Conditions:

1. All work shall be in accordance with plans by T.F. Moran, Inc. dated May 24, 2010, as received by the Department on June 24, 2010.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culverts shall be laid at original grade.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**GOLD DREDGE**

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**2010-01774                      RUSSELL, ROCCO**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc: Bath con Comm

**TRAILS NOTIFICATION**

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**2010-01626                      SOCIETY FOR THE PROTECTION OF NH FORESTS**  
**GILFORD   Unnamed Wetland**

COMPLETE NOTIFICATION:  
Gilford Tax Map/Lot# 225/3-1 & 226/32 Weeks Wood

**2010-01627                      SOCIETY FOR THE PROTECTION OF NH FORESTS**  
**CLARKSVILLE   Unnamed Wetland**

COMPLETE NOTIFICATION:

Clarksville Tax Map R7, Lot# 1-2 Washburn Family Forest

**2010-01689                      SOCIETY FOR THE PROTECTION OF NH FORESTS**  
**JAFFREY   Unnamed Stream**

COMPLETE NOTIFICATION:

Jaffrey Tax Map 219, Lot# 8 Monadnock State Park

## ROADWAY MAINTENANCE NOTIF

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**2010-01749                      HOLLIS, TOWN OF**  
**HOLLIS   Unnamed Stream**

**2010-01775                      NH DEPT OF TRANSPORTATION**  
**ERROL   Unnamed Stream**

## PERMIT BY NOTIFICATION

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**2010-01516                      LOFBLAD, ROBERT**  
**GILFORD   Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2010-01588                      BONISTEEL, DAVIC & CAREN**  
**NEW DURHAM   Merrymeeting Lake**

Requested Action:

Installation of a seasonal dock and anchor pad.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Installation of a seasonal dock and anchor pad.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a seasonal dock.

**2010-01657                      HEALTHSOURCE PROPERTIES INC.**  
**HOOKSETT   Unnamed Pond**

Requested Action:

PBN proposal to install temporary cofferdams, maintenance dredge a spillway inlet and maintenance of an existing drainage pipe and outlet area impacting 2,800 sq. ft. of wetlands.

\*\*\*\*\*

PBN IS COMPLETE:

PBN complete to install temporary cofferdams, maintenance dredge a spillway inlet and maintenance of an existing drainage pipe and outlet area impacting 2,800 sq. ft. of wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rules Env-Wt 303.04(k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways, Env-Wt 303.04(l) Temporary cofferdams and other water control devices constructed in flowing water or adjacent to dams in conjunction with the repair or maintenance of existing structures. Temporary cofferdams means temporary watertight enclosures built in the water and pumped dry to expose the bottom so that construction may be undertaken and Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

**2010-01753                      FENNER, KRISTI**  
**ENFIELD   Crystal Lake**

Requested Action:

Repair of existing retaining walls.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing retaining walls.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of existing retaining walls.

**2010-01765                      DREYER REVOC TRUST, CYNTHIA**  
**NEW DURHAM   Merrymeeting Lake**

Requested Action:

Permanently remove existing dock and install a 6 ft x 24 ft seasonal dock and anchor pad.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Permanently remove existing dock and install a 6 ft x 24 ft seasonal dock and anchor pad.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a seasonal dock.

**2010-01766                      PEASE, RICHARD**  
**LACONIA   Opechee Bay**

Requested Action:

In kind repair of existing retaining walls during draw down of the waterbody.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com submitted comments requesting limited fertilizer and herbicides along with additional plantings

PBN IS COMPLETE:

In kind repair of existing retaining walls during draw down of the waterbody.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair existing retaining walls.

**CSPA PERMIT**

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**2010-01316                      RADIN, ROBERT & AMY**  
**JAFFREY   Thorndike Pond**

Requested Action:

Impact 1,248 sq ft for the installation of stone trenches and drainage swale on existing driveway.

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APPROVE PERMIT:

Impact 1,248 sq ft for the installation of stone trenches and drainage swale on existing driveway.

With Conditions:

1. All work shall be in accordance with plans by Sharon Monahan dated June 21, 2010 and received by the NH Department of Environmental Services (DES) on June 23, 2010.
2. No more than 14.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless

additional approval is obtained from DES.

3.

4. The project as proposed will leave approximately 20,320 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 13,214 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

10. All impacts to vegetation including brush hogging the existing leach field and cutting seven trees within the waterfront buffer shall be conducted in accordance with the requirements of RSA 483-B:9, V, (a) and (b).

With Findings:

1. The proposed tree cutting within the 50 ft waterfront buffer segment is within the limits established in RSA 483-B:9, (V), (a), (D).

**2010-01569                      LARSEN, MYLENE**  
**WAKEFIELD   Pine River Pond**

Requested Action:

Impact 628 sq ft for the replacement of walkway and wood deck.

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APPROVE PERMIT:

Impact 628 sq ft for the replacement of walkway and wood deck.

With Conditions:

1. All work shall be in accordance with plans by Green Monster Landscapes dated June 12, 2010 and received by the Department of Environmental Services ("DES") on June 17, 2010.

2. No more than 14.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

3. The project as proposed will leave approximately 3,934 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3224 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-01572                      REARDON, JOHN & DONNA**  
**GILMANTON   Sawyer Lake**

Requested Action:

Impact 335 sq ft for the construction of a 16 ft x 20 ft porch built on piers.

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APPROVE PERMIT:

Impact 335 sq ft for the construction of a 16 ft x 20 ft porch built on piers.

With Conditions:

1. All work shall be in accordance with plans by Reardon Builders dated June 2010 and received by the NH Department of Environmental Services (DES) on June 17, 2010.
2. No more than 11.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 5,500 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,630 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-01585                      BELUSKA, VASILE & DONNA**  
**SANBORTON   Cawley Pond**

Requested Action:

Impact 8,714 sq ft for the construction of a new 1,905 sq ft single family dwelling and associated accessory structures.

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APPROVE PERMIT:

Impact 8,714 sq ft for the construction of a new 1,905 sq ft single family dwelling and associated accessory structures.

With Conditions:

1. All work shall be in accordance with plans by Granite State Septic Designs dated June 12, 2010 and received by the NH Department of Environmental Services (DES) on June 18, 2010.
2. No more than 14.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 6,172 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 6,055 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

9. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.

**2010-01586                      NH DEPT OF TRANSPORTATION**  
**THORNTON   Pemigewasset River**

Requested Action:

Impact 18,165 sq ft for the replacement of deck on a bridge.

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APPROVE PERMIT:

Impact 18,165 sq ft for the replacement of deck on a bridge.

With Conditions:

1. All work shall be in accordance with plans by Department of Transportation dated May 2, 2010 and received by the NH Department of Environmental Services (DES) on June 18, 2010.
2. No more than 24% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 1,227 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2010-01605                      MANN, ROBERT**  
**LOUDON   Hot Hole Pond**

Requested Action:

Impact 750 sq ft for the extension of gravel driveway, replacement of existing deck and extension of ramp.

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APPROVE PERMIT:

Impact 750 sq ft for the extension of gravel driveway, replacement of existing deck and extension of ramp.

With Conditions:

1. All work shall be in accordance with plans by Robert Mann dated June 2010 and received by the NH Department of Environmental Services (DES) on June 21, 2010.
2. No more than 8.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 1458 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1094 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-01670                      GRAY, STACY**  
**KINGSTON   Powwow Pond**

Requested Action:

Impact 5,600 sq ft for the relocation of existing home, new foundation, well and septic system.

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APPROVE PERMIT:

Impact 5,600 sq ft for the relocation of existing home, new foundation, well and septic system.

With Conditions:

1. All work shall be in accordance with plans by S.E.C. & Associates dated June 21, 2010 and received by the NH Department of Environmental Services (DES) on June 23, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 13.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.